

House File 476 - Introduced

HOUSE FILE _____
BY RANTS

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the transportation of passengers in an open
2 truck bed and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1199YH 82
5 dea/je/5

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1 1 Section 1. NEW SECTION. 321.447 PASSENGERS IN OPEN TRUCK
1 2 BED.
1 3 1. Except as otherwise provided in this section, a person
1 4 shall not operate a motor vehicle on a highway while
1 5 transporting a passenger in an unenclosed area of the vehicle
1 6 not intended for passenger seating, including but not limited
1 7 to the open bed of a motor truck.
1 8 2. Except as otherwise provided in this section, a person
1 9 shall not ride in an unenclosed area of a motor vehicle not
1 10 intended for passenger seating, including but not limited to
1 11 the open bed of a motor truck, while the vehicle is being
1 12 operated on a highway.
1 13 3. Subsections 1 and 2 do not apply if the owner of the
1 14 motor vehicle is a person engaged in farming or ranching and
1 15 the vehicle is being operated within the boundaries of land
1 16 that is owned or managed by the owner of the vehicle as a farm
1 17 or ranch, including the incidental operation of the vehicle on
1 18 a highway for the purpose of traveling not more than one mile
1 19 from one part of the farm or ranch to another part of that
1 20 farm or ranch.
1 21 4. Subsections 1 and 2 do not apply if the motor vehicle
1 22 is being operated in a parade that is supervised by a public
1 23 law enforcement agency and the speed of the vehicle does not
1 24 exceed eight miles per hour.
1 25 5. The operator and passengers in a motor vehicle may each
1 26 be charged separately for a violation of this section. A
1 27 violation of this section is a simple misdemeanor punishable
1 28 as a scheduled violation under section 805.8A, subsection 14,
1 29 paragraph "j".
1 30 Sec. 2. Section 805.8A, subsection 14, Code 2007, is
1 31 amended by adding the following new paragraph:
1 32 NEW PARAGRAPH. j. PASSENGER SEATING VIOLATIONS. For a
1 33 violation under section 321.447, subsection 1 or 2, the
1 34 scheduled fine is twenty-five dollars.

EXPLANATION

2 1 This bill prohibits the operator of a motor vehicle from
2 2 transporting passengers in an unenclosed area of the vehicle
2 3 not intended for passenger seating, such as an open truck bed.
2 4 The bill also prohibits persons from riding in such an area of
2 5 a motor vehicle. The bill makes an exception for a motor
2 6 vehicle owned by a farmer or rancher when the vehicle is being
2 7 driven on land owned or managed by the farmer or rancher or
2 8 traveling on the highway between one part of the farm or ranch
2 9 to another part of the farm or ranch for a distance of one
2 10 mile or less. Another exception is allowed for a motor
2 11 vehicle being operated at a speed of not more than eight miles
2 12 per hour in a parade that is supervised by law enforcement.
2 13 The penalty for a violation of the bill's provisions is a
2 14 simple misdemeanor, punishable by a scheduled fine of \$25.
2 15 Both the driver and passengers may each be charged with a
2 16 separate violation.
2 17 LSB 1199YH 82
2 18 dea:nh/je/5